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9 Attorneys for Defendant
10 FEDERAL EXPRESS CORPORATION
11 (improperly sued as FEDERAL EXPRESS)

12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

14 SHIMOM MOALEM, is an individual,
15
16 Plaintiff,
17
18 v.

19 FEDERAL EXPRESS, is a Memphis,
20 Tennessee based Multinational
21 Corporation; and DOES and ROES 1
22 through XX, inclusive,
23 Defendants.

CASE NO. 2:18-CV-01223-JAD-NJK

**STIPULATION AND ORDER FOR
EXTENSION OF TIME TO RESPOND TO
PLAINTIFF'S COMPLAINT**

24 IT IS HEREBY STIPULATED AND AGREED between Defendant, Federal Express
25 Corporation (improperly sued as FEDERAL EXPRESS) ("FedEx Express"), by and through
26 its attorney of record, Michael J. Nunez, Esq. of Murchison & Cumming, LLP, and Plaintiff,
27 Shimom Moalem, acting in his individual capacity as the Plaintiff in Proper Person, that the
28 deadline for responding to Plaintiff's Complaint may be extended from August 3, 2018, to
August 17, 2018.

Plaintiff alleges in his Complaint that he tendered packages to FedEx Express for
delivery to New York, but those packages were not delivered as instructed. Upon
investigation, it was determined that Plaintiff tendered packages to FedEx Ground Package
System, Inc. ("FedEx Ground"), and not FedEx Express. FedEx Ground and FedEx Express
are legally separate and independent operating companies. Plaintiff was informed of this

1 error, and provided the correct entity name. Plaintiff has agreed to file an Amended
2 Complaint substituting the correct party, FedEx Ground, for the incorrectly named party,
3 FedEx Express. The parties reached an agreement to extend the response deadline to
4 enable Plaintiff to substitute the proper party into the lawsuit.

5 Defendant agrees that Plaintiff's agreement to this extension cannot and will not be
6 used directly or indirectly to prejudice any rights of Plaintiff, and that, in the event Plaintiff
7 seeks ex parte or other relief, Defendant will not make any argument, either orally or in
8 writing, which uses Plaintiff's agreement in any manner that is prejudicial to Plaintiff or
9 Plaintiff's position, or in a manner that characterizes Plaintiff's agreement as "delay".

10 **AFFIRMATION Pursuant to NRS 239B.030**

11 The undersigned does hereby affirm that the preceding document does not contain the
12 social security number of any person.

13 DATED: August 2, 2018

14 **MURCHISON & CUMMING, LLP**

15
16 By /s/ Michael J. Nunez
17 Michael J. Nuñez, Esq.
18 Nevada Bar No. 10703
19 6900 Westcliff Drive, Suite 605
20 Las Vegas, Nevada 89145
21 Attorneys for Defendant
22 FEDERAL EXPRESS CORPORATION

23 DATED: August 2, 2018

24 **SHIMON MOALEM**

25 By /s/ Shimon Moalem
26 Shimon Moalem
27 Plaintiff acting in Proper Person
28 3779 Robert Randolph Way
Las Vegas, Nevada 89147

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ORDER

IT IS SO ORDERED that the deadline to file a response to Plaintiff's Complaint be extended to August 17, 2018.

DATED August 3, 2018


UNITED STATES MAGISTRATE JUDGE